

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 21 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SWINOMISH INDIAN TRIBAL
COMMUNITY, a federally recognized
Indian Tribe,

Plaintiff-Respondent,

v.

BNSF RAILWAY COMPANY, a Delaware
corporation,

Defendant-Petitioner.

No. 18-80062

D.C. No. 2:15-cv-00543-RSL
Western District of Washington,
Seattle

ORDER

Before: SCHROEDER and SILVERMAN, Circuit Judges.

The motion for leave to file a reply (Docket Entry No. 5) is granted. The reply has been filed.

The petition for permission to appeal pursuant to 28 U.S.C. § 1292(b) is granted. Within 14 days after the date of this order, petitioner shall perfect the appeal in accordance with Federal Rule of Appellate Procedure 5(d).